

“Alcohol Restricted Driver” Law Information



On July 1, 2005, a new law went into effect. The “Alcohol Restricted Driver” Law (UCA 41-6a-529) affects you. When you have been convicted or sanctioned for one of the offenses listed below, you will be on an alcohol restricted driving privilege. You will retain full driving privileges, except you are prohibited from having any alcohol in your system when you drive. The specific convictions or sanctions are:

1. Driving under the influence (DUI) – (UCA 41-6a-502)
2. PerSe arrest – (UCA 53-3-223)
3. Refusal to submit to a chemical test – (UCA 41-6a-520)
4. Alcohol-related reckless driving – (UCA 41-6a-528)
5. Automobile homicide – (UCA 76-5-207)

****COMMON QUESTIONS****

WHAT IS AN “ALCOHOL RESTRICTED” DRIVING PRIVILEGE?

- You must not drive with **any alcohol** in your system.

HOW LONG WILL I BE ALCOHOL RESTRICTED?

- Two (2) years for a first conviction for DUI or alcohol related reckless driving;
- Two (2) years for a PerSe arrest;
- Five (5) years for first arrest for refusal to submit to a chemical test;
- Five (5) years for a first conviction for DUI or alcohol related reckless driving if you are 21 years of age or older and have a passenger in your vehicle who is under 16;
- Ten (10) years for a second conviction for DUI or alcohol related reckless driving or a second arrest for refusal to submit to a chemical test within ten years of a first offense;
- Lifetime for felony DUI or automobile homicide.

WILL THIS CONSTRAINT SHOW ON MY DRIVER LICENSE CERTIFICATE?

- **NO. THIS RESTRICTION WILL BE INDICATED ON YOUR DRIVING HISTORY.**
- Law enforcement, courts and other legitimate requesters will have access to this information.

HOW WILL THIS AFFECT MY DRIVING PRIVILEGE?

- **YOU MUST NOT DRIVE WITH ANY ALCOHOL IN YOUR SYSTEM.**
- The restriction begins on the conviction date of a citation for DUI, alcohol-related reckless driving or automobile homicide, or the effective date of a suspension or revocation for PerSe arrest or refusal to submit to a chemical test.
- Once you are eligible to reinstate your driving privilege, the alcohol restriction will remain in effect until the time period is expired.

WHAT WILL HAPPEN IF I VIOLATE THE ALCOHOL RESTRICTED LICENSE?

- A conviction for a violation of the “Alcohol Restricted” License Law will result in a **one (1) year revocation** of your driving privilege.

SINCE I’M LICENSED IN ANOTHER STATE, HOW WILL THIS AFFECT ME?

- Although you are not currently licensed in the state of Utah, your privilege to drive in the state of Utah is affected by this law. The alcohol restriction period will apply as listed above if you are driving in the state of Utah, regardless of the state in which you are licensed.

- If convicted for a violation of UCA 41-6a-530, your Utah driving privilege will be revoked for a period of one year.

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